

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

MARICEL FORTEZA,

Plaintiff,

v.

PELICAN INVESTMENT HOLDINGS
GROUP, LLC DBA AAP AND AUTO
SERVICE DEPARTMENT, US DEALER
SERVICES, INC. DBA US AUTO,
PALMER ADMINISTRATIVE
SERVICES, INC., SING FOR SERVICE,
LLC DBA MEPCO

Defendants.

Case No. 4:23-CV-00401-ALM-BD

JURY TRIAL DEMANDED

**AFFIDAVIT IN SUPPORT OF CLERK’S DEFAULT JUDGMENT
PURSUANT TO FRCP 55(b)(1)**

1. I, Andrew R. Perrong, declare under penalty of perjury:
2. I make this declaration in support of Plaintiff’s Motion for Clerk’s Default Judgment Pursuant to Rule 55(b)(1). Except as otherwise noted, I have personal knowledge of the facts set forth in this declaration and could testify competently to them if called upon to do so.
3. I am an attorney duly admitted to practice in the Commonwealth of Pennsylvania and the State of Oregon and this Court, I am over 18 years of age, and I am competent to testify and make this affidavit on personal knowledge.
4. On May 25, 2023, the Plaintiff filed her Amended Complaint naming the Defaulting Defendant, US Dealer Services, Inc. d/b/a US Auto. (ECF No. 11).
5. In her Prayer for Relief, the Plaintiff requested an award for a sum certain of “\$3,000 per call in statutory damages arising from the TCPA intentional violations jointly and severally against the corporation and individual for 6 calls,” “[a]n award of \$5,000 per call in

statutory damages arising from violations of the Texas Business and Commerce Code 302.101(a) jointly and severally against the corporations and individual for 6 calls,” and “[a]n award of \$1,500 per call in damages arising from violations of the Texas Business and Commerce Code 305.053 jointly and severally against the corporations and individual for 6 calls.” (Am. Compl. ¶ D., E. F.).

6. Thus, the Plaintiff has sought a sum certain and respectfully requests that the Court enter an order directing the Clerk enter default judgment for the sum certain demanded in the complaint, of \$57,000, plus costs.

7. All other requirements for entry of a default judgment have been met, the Clerk having entered and certified default

PURSUANT TO 28 U.S.C. § 1746, I DECLARE SIGNED UNDER PENALTY OF PERJURY OF THE UNITED STATES OF AMERICA THAT THE FOREGOING IS TRUE AND CORRECT EXECUTED THIS 8TH DAY OF MAY 2025 IN THE COMMONWEALTH OF PENNSYLVANIA.



Andrew Roman Perrong, Esq.
Perrong Law LLC
2657 Mount Carmel Avenue
Glenside, Pennsylvania 19038
Phone: 215-225-5529 (CALL-LAW)
Facsimile: 888-329-0305
a@perronglaw.com